

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

CRIMINAL NO. 3:14cr111HTW-FKB

CECIL McCRORY

DEFENDANT

AMENDED AGREED PRELIMINARY ORDER OF FORFEITURE

PURSUANT to a separate Plea Agreement and Plea Supplement between the defendant, **CECIL McCRORY**, by and with the consent of his attorney, and the **UNITED STATES OF AMERICA** (hereinafter "the Government"), **CECIL McCRORY** agrees that the following findings are correct, and further agrees with the adjudications made herein. Accordingly, the Court finds as follows:

1. The defendant is fully aware of the consequences of having agreed to forfeit to the Government his interests in and to the hereinafter described property, having been apprised of such by his attorney and by this Court; and he has freely and voluntarily, with knowledge of the consequences, entered into a Plea Agreement and Plea Supplement with the Government to forfeit such property.

2. The defendant agrees the following assets:

(1) **One Million Two Hundred Thousand Dollars in United States Currency (\$1,200,000.00);**

(2) **Real property more particularly described as:**

Unit number five hundred two (502), Sea Breeze Condominiums, a condominium according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the Second Judicial District of Harrison County, Mississippi, in Plat Book 23, at Page 17 thereof, together with an undivided interest in and to the common elements and appurtenances thereof, as set forth in the Declaration of Condominium, dated November 10, 2006, and filed of record as Instrument no. 2006-0005045-DJ2 thereof, in the office of the Chancery Clerk aforesaid;

However, the Defendant is authorized to sell such property and forfeit the full net amount received to the Government if the Government approves of such sale beforehand.

(3) Real property more particularly described as:

**Unit 601, Sea Breeze Condominiums, according to the official map or plat thereof in Plat Book 23 at Page 17 and according to the Declaration of Condominium recorded as Instrument Number 2006-5045DJ2, and bylaws recorded as Instrument Number 2010-2932DJ2 and all amendments thereto on file and of record in the office of the Chancery Clerk of the Second Judicial District of Harrison County, Mississippi. Together with an undivided interest in the common area and appurtenances as set forth in said declaration. Being the same property as described by deed recorded as Instrument No. 2006-5894DJ2.
Tax Parcel Number: 1210K-04-002.045;**

(4) Real property more particularly described as:

Unit Number Five Hundred Four (504), SEA BREEZE CONDOMINIUMS, a condominium according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the Second Judicial District of Harrison County, Mississippi, in Plat Book 23 at Page 17 thereof, together with an undivided interest in and to the common elements and appurtenances thereof, as set forth in the Declaration of Condominium and therefore subject to that certain Declaration of Condominium, dated November 10, 2006 and filed of record as Instrument No. 2006-5045-D-J2 thereof, in the office of the Chancery Clerk aforesaid.

AND ALSO: Cabana C-4, SEA BREEZE CONDOMINIUMS, a condominium according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the Second Judicial District of Harrison County, Mississippi, in Plat Book 23 at Page 17 thereof, together with an undivided interest in and to the common elements and appurtenances thereof, as set forth in the Declaration of Condominium and therefore subject to that certain Declaration of Condominium dated November 10, 2006 and filed of record as Instrument #2006-5045-D-J2 thereof, in the office of the Chancery Clerk aforesaid; which cabana may be separated from the Unit hereinabove, but which cannot be separated, sold, transferred or conveyed without ownership of a Sea Breeze Condominium Unit, all in accord with the covenants, restrictions, and conditions of the Declaration of Condominium;

- (5) **Real property located at 104 Office Park Drive more particularly described as:**

Tract I:

Commence at a point where the East line of Section 18, Township 5 North, Range 3 East, Rankin County, Mississippi intersects the South right-of-way line of U. S. Highway 80 and run thence North 89 degrees 57 minutes West along said right-of-way line for 1,822.3 feet to a point; run thence South 00 degrees 25 minutes East for 45.0 feet to a point; run thence South 89 degrees 57 minutes East for 100.0 feet to a point; run thence South 00 degrees 25 minutes East for 200.0 feet to the Point of Beginning of the land described herein; continue thence South 00 degrees 25 minutes East for 100.0 feet to an iron pin; run thence North 89 degrees 57 minutes West for 120.0 feet to an iron pin; run thence North 00 degrees 25 minutes West for 100.0 feet to an iron pin; run thence South 89 degrees 57 minutes East for 120.0 feet to an iron pin and the Point of Beginning. The above described lot lying and being situated in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, Township 5 North, Range 3 East, Rankin County, Mississippi, containing 0.275 acres, more or less.

AND ALSO:

Tract II:

Commence at a point where the East line of Section 18, Township 5 North, Range 3 East, Rankin County, Mississippi intersects the South right-of-way line of U. S. Highway 80 and run thence North 89 degrees 57 minutes West and along said right-of-way line for a distance of 1,822.3 feet to a point; run thence South 00 degrees 25 minutes East for a distance of 245.0 feet to a point; run thence North 89 degrees 57 minutes West for a distance of 20.0 feet to the Point of Beginning. Run thence South 00 degrees 25 minutes East for a distance of 100.0 feet to a point; run thence North 89 degrees 57 minutes West for a distance of 30.0 feet to a point; run thence North 00 degrees 25 minutes West for a distance of 100.0 feet to a point; run thence South 89 degrees 57 minutes East for a distance of 30.0 feet to the Point of Beginning. The above described property lying and being situated in the Northeast Quarter of the Northeast Quarter of Section 18, Township 5 North, Range 3 East, Rankin County, Mississippi, and containing 0.069 acres, more or less.

INDEXING INSTRUCTIONS:

TRACT 1: NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, Township 5 North, Range 3 East, Rankin County, Mississippi.

TRACT II: NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, Township 5 North, Range 3 East, Rankin County, Mississippi.

- (6) Christian Drive and Highway 18, Brandon, Rankin County, Mississippi more particularly described as:**

A tract or parcel of land containing 4.15 acres, more or less, being situated in the Southeast ¼ of the Southwest ¼ of Section 18, T5N-R3E, City of Brandon, Rankin County, Mississippi; thence

Commencing at the Southeast corner of said Section 18; run thence

North for a distance of 755.55 feet; thence

West for a distance of 3662.98 feet to a found ½ inch iron pin marking the Southeast corner of Royal Development, LLC property as recorded in Deed Book 2004 Page 6820 in the office of the Chancery Clerk of Rankin County, Mississippi and said pin marking the point of beginning of the herein described property; thence

South 27 Degrees 07 Minutes 48 Seconds East for a distance of 637.63 feet to a point in the center of Terrapin Skin Creek; thence

South 64 Degrees 42 Minutes 44 Seconds West along the center of said Terrapin Skin Creek for a distance of 97.61 feet to a point; thence

South 70 Degrees 01 Minute 45 Seconds West along the center of said Terrapin Skin Creek for a distance of 106.11 feet to a point; thence

South 71 Degrees 02 Minutes 26 Seconds West along the center of said Terrapin Skin Creek for a distance of 93.65 feet to a point on the Easterly right-of-way of MS Highway No. 18; thence

North 27 Degrees 07 Minutes 48 Seconds West along the Easterly right-of-way of MS Highway No. 18 for a distance of 476.67 feet to a set ½ inch iron pin on the Southerly right-of-way of Christian Drive; thence

North 62 Degrees 52 Minutes 12 Seconds East along the Southerly right-of-way of Christian Drive for a distance of 60.0 feet to a set ½ inch iron pin; thence

North 27 Degrees 07 Minutes 48 Seconds West along the Easterly right-of-way of Christian Drive for a distance of 161.17 feet to a found ½ inch iron pin marking the Southwest corner of the aforementioned Royal Development, LLC property; thence

North 70 Degrees 06 Minutes 03 Seconds East along the Southerly line of the aforementioned Royal Development, LLC property for a distance of 237.36 feet to the point of beginning.

LESS AND EXCEPT:

A parcel of land being situated in the Southeast ¼ of Southwest ¼ of Section 18, Township 5 North, Range 3 East, City of Brandon, Rankin County, Mississippi, described as follows:

Commencing at the Southeast Corner of said Section 18; run thence North a distance of 755.55 feet; then West for a distance of 3,662.98 feet to a ½ inch iron pin marking the Southeast Corner of Royal Development, LLC property as recorded in Deed Book 2004 at Page 6820 in the Office of the Chancery Clerk of Rankin County, Mississippi; thence South 70 Degrees 06 Minutes 03 Seconds West a distance of 237.36 feet to a point on the eastern right-of-way line of Christian Drive; thence South 27 Degrees 07 Minutes 48 Seconds East along the East line of Christian Drive a distance of 161.17 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING, continue South 27 Degrees 07 Minutes 48 Seconds East for a distance of 113.84 feet; thence South 66 Degrees 37 Minutes 44 Seconds West a distance of 60 feet to the East right-of-way line of Mississippi Highway 18; thence North 27 Degrees 07 Minutes 48 Seconds West along the said East right-of-way line for a distance of 113.84 feet; thence North 66 Degrees 37 Minutes 44 Seconds East a distance of 60 feet, more or less, to the POINT OF BEGINNING, comprising 1.57 acres, more or less.

LESS AND EXCEPT:

A tract of parcel of land containing 1.45 acres, more or less, being situated in the SE ¼ of the SW ¼ of Section 18, T5N-R3E, City of Brandon, Rankin County, Mississippi.

Thence commencing at the SE Corner of said Section 18; run thence North for a distance of 755.55 feet; thence West for a distance of 3662.98 feet to a found ½ inch iron pin marking the SE Corner of Royal Development, LLC property as recorded in Deed Book 2004, Page 6820 in the office of the Chancery Clerk of Rankin County, Mississippi and said pin marking the POINT OF BEGINNING of the herein described property; thence South 27 Degrees 07 Minutes 48 Seconds East for a distance of 260.59 feet to an iron pin; thence South 66 Degrees 37 Minutes 44 seconds West for a distance of 236.05 feet to an iron pin on the East right-of-way of Christian Drive (proposed Christian Drive extension); thence North 27 Degrees 07 Minutes 48 Seconds West along the Easterly right-of-way of Christian Drive for a distance of 275.00 feet to a found ½ inch iron pin marking the SW Corner of the aforementioned Royal Development, LLC property; thence North 70 Degrees 06 Minutes 03 Seconds East along the Southerly line of the aforementioned Royal Development, LLC property for a distance of 237.36 feet to the POINT OF BEGINNING.

- (7) A certain parcel of land being situated in the East ½ of Section 24, T5N-R2E, Rankin County, Mississippi, and being more particularly described as follows:

PARCEL 1:

Commence at an existing iron pin marking the Southwest corner of the East ½ of Section 24, T5N-R2E and run thence North 00 degrees 11 minutes 18 seconds West along the West line of the East ½ of said Section 24 for a distance of 3,306.99 feet to an existing iron pin marking the POINT OF BEGINNING of the parcel of land herein described from said POINT OF BEGINNING, run thence South 77 degrees 43 minutes 35 seconds East for a distance of 1,144.85 feet to a set iron pin on the West right-of-way line of Greenfield Road; said point being in the arc of a 0.9936 degree curve bearing to the right having a radius of 5,766.90 feet; run thence along said West right-of-way line of Greenfield Road and along the arc of said curve an arc length of 280.72 feet; said curve having a chord bearing of South 35 degrees 34 minutes 55 seconds West and a chord distance of 280.69 feet; leaving said West right-of-way line of Greenfield Road, run thence North 76 degrees 54 minutes 22 seconds West for a distance of 791.63 feet to an existing iron pin; run thence North 77 degrees 43 minutes 36 seconds West for a distance of 187.78 feet to an existing iron pin on the aforesaid West line of the East ½ of Section 24; run thence North 00 degrees 11 minutes 18 seconds West along said West line of the East ½ of Section 24 for a distance of 252.39 feet to the POINT OF BEGINNING, containing 6.134 acres, more or less.

PARCEL II:

Commencing at the Southwest corner of the East ½ of Section 24, Township 5 North, Range 2 East, Rankin County, Mississippi, go North 00° 11' 18" West along the West line of said East ½ of Section 24 for a distance of 3,306.99 feet to the Point of Beginning;

From the Point of Beginning; thence go North 77 ° 43' 37" West for a distance of 152.350 feet to an iron pin; thence go South 2° 48' 25" East along a fence for a distance of 154.670 feet; thence go South 2° 59' 44" East along said fence for a distance of 100.660 feet; thence go South 77° 43' 36" East for a distance of 140.070 feet to the West line of said East ½ of Section 24; thence go North 0° 11" 18" West along West line of said East ½ of Section 24 for a distance of 252.390 feet; to the Point of Beginning, containing 0.83 acres, more or less, and being situated in the West ½ of Section 24, Township 5 North, Range 2 East, Rankin County, Mississippi.

PARCEL III:

A certain parcel of land being situated in the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter of Section 24, Township 5 North, Range 2 East, Rankin County, Mississippi, and being more particularly described as follows:
Commence at the Southwest corner of the East Half of said Section 24,

Township 5 North, Range 2 East and run thence North 00 degrees 11 minutes 18 seconds West along the West line of said East Half of Section 24 for a distance of 3,306.99 feet to the POINT OF BEGINNING, run thence North 77 degrees 43 minutes 37 seconds West for a distance of 152.31 feet to a set iron pin on an existing fence line; run thence North 01 degrees 36 minutes 24 seconds West along said existing fence for a distance of 51.50 feet to an existing iron pin; run thence South 77 degrees 43 minutes 37 seconds East for a distance of 164.67 feet to a set iron pin; run thence South 77 degrees 43 minutes 36 seconds East for a distance of 1,167.18 feet to a set iron pin on the West right-of-way line of Greenfield Road (as now laid out and improved); said point further being on the arc of a 00/993529 degree curve bearing to the left having a central angle of 00 degrees 32 minutes 45 seconds and a radius of 5,766.89 feet; run thence along said West right-of-way line of Greenfield Road and along the arc of said curve an arc length of 54.95 feet; said curve having a chord bearing of South 36 degrees 46 minutes 19 seconds West and a chord distance of 54.95 feet; leaving said West right-of-way line of Greenfield Road and the arc of said curve, run thence North 77 degrees 43 minutes 36 seconds West for a distance of 1,144.40 feet to the POINT OF BEGINNING, containing 1.509 acres, more or less.

LESS AND EXCEPT:

A tract or parcel of land containing 6.34 acres, more or less, lying and being situated in the Southwest ¼ of the Northeast ¼ and the Southeast ¼ of the Northwest ¼ of Section 24, Township 5 North, Range 2 East, City of Pearl, Rankin County, Mississippi and being more particularly described by metes and bounds as follows:

Commencing at a fence post marking the Southwest corner of the East ½ of said Section 24, run thence

East for a distance of 935.11 feet; thence

North for a distance of 2,836.20 feet to a found ½ inch iron pin marking the Northeast corner of the Reed Food Technology, Inc. property as recorded in Deed Book 881, Pages 449-450 in the Office of the Chancery Clerk of Rankin County; thence

North 76 degrees 54 minutes 22 seconds West along the North line of said Reed Food Technology, Inc. property and a fence, more or less, for a distance of 264.95 feet to a set ½ inch iron pin; thence

North 76 degrees 54 minutes 22 seconds West along said North line of the Reed Food Technology, Inc. property and a fence, more or less, for a distance of 143.73 feet to a set ½ inch iron pin marking the Point of Beginning of the herein described property; thence

North 76 degrees 54 minutes 22 seconds West along said North line of the Reed Food Technology, Inc. property and the North line of Greenfield Commercial Park Phase 2 as recorded in Plat Cabinet C, Slot 187 in the Office of the Chancery Clerk of Rankin County and a fence, more or less, for a distance of 382.95 feet to a set ½ inch iron pin; thence

North 77 degrees 43 minutes 36 seconds West along said North line of Greenfield Commercial Park Phase 2 and the North line of the United Association Mississippi Land Holding Company property as recorded in Deed Book 909, Pages 638-639 in the Office of the Chancery Clerk of Rankin County and a fence, more or less, for a distance of 327.85 feet to a set ½ inch iron pin marking the East line of Greenfield Development Company property as recorded in Deed Book 726, Pages 3-4 in the Office of the Chancery Clerk of Rankin County; thence

North 2 degrees 59 minutes 44 seconds West along the East line of said Greenfield Development Company property for a distance of 100.66 feet to a set ½ inch iron pin; thence

North 2 degrees 48 minutes 25 seconds West along said East line of the Greenfield Development Company property for a distance of 154.67 feet to a set ½ inch iron pin; thence

North 1 degrees 36 minutes 24 seconds West along said East line of the Greenfield Development Company property for a distance of 51.50 feet to a set ½ inch iron pin marking the South line of the Greenfield Development Company, Inc. and Patrick property as recorded in Deed Book 581, Pages 143-146 in the Office of the Chancery Clerk of Rankin County thence

South 77 degrees 43 minutes 37 seconds East along said South line of said Greenfield Development Company, Inc. and Patrick property for a distance of 164.67 feet to a set ½ inch iron pin; thence

South 77 degrees 43 minutes 36 seconds East along said South line of said Greenfield Development Company, Inc. and Patrick property for a distance of 1,168.19 feet to a set ½ inch iron pin marking the intersection of said South line of said Greenfield Development Company, Inc. and Patrick property with the West right of way of Greenfield Road; thence

Southwesterly along said West right of way of Greenfield Road and the arc of a curve to the left for a distance of 110.08 feet, said curve having a radius of 5,766.90 feet, and a deflection angle of 1 degrees 05 minutes 37 seconds, (chord bearing and distance, South 36 degrees 58 minutes 40 seconds West, 110.07 feet) to a set ½ inch iron pin; thence

North 77 degrees 43 minutes 36 seconds West for a distance of 490.52 feet to a set ½ inch iron pin; thence

South 14 degrees 06 minutes 34 seconds West for a distance of 202.04 feet to the Point of Beginning.

AND LESS AND EXCEPT:

A tract or parcel of land containing 1.44 acres, more or less, lying and being situated in the Southwest ¼ of the Northeast ¼ of Section 24, Township 5 North, Range 2 East, City of Pearl, Rankin County, Mississippi and being more particularly described by metes and bounds as follows:

Commencing at a fence post marking the Southwest corner of the East ½ of said Section 24; run thence

East for a distance of 935.11 feet; thence

North for a distance of 2,836.20 feet to a found ½ inch iron pin marking the Northeast corner of the Reed Food Technology, Inc. property as recorded in Deed Book 881, Pages 449-450 in the Office of the Chancery Clerk of Rankin County and the Point of Beginning of the herein described property; thence

North 76 degrees 54 minutes 22 seconds West along the North line of said Reed Food Technology, Inc. property and a fence, more or less, for a distance of 264.95 feet to a set ½ inch iron pin; thence

North 14 degrees 06 minutes 34 seconds East for a distance of 204.10 feet to a set ½ inch iron pin; thence

South 77 degrees 43 minutes 36 seconds East for a distance of 346.74 feet to a set ½ inch iron pin marking the West right of way of Greenfield Road; thence

Southwesterly along said West right of way of Greenfield Road and the arc of a curve to the left for a distance of 225.80 feet, said curve having a radius of 5,766.90 feet, and a deflection angle of 2 degrees 14 minutes 36 seconds, (chord bearing and distance, South 35 degrees 18 minutes 33 seconds West, 225.79 feet) to the Point of Beginning;

(8) 100' Non-Exclusive Ingress/Egress Easement

A tract or parcel of land containing 1.17 acres, more or less, lying and being situated in the Southwest ¼ of the Northeast ¼ of Section 24, Township 5 North, Range 2 East, City of Pearl, Rankin County, Mississippi and being more particularly described by metes and bounds as follows:

Commencing at a fence post marking the Southwest corner of the East ½ of said Section 24; run thence

East for a distance of 935.11 feet; thence

North for a distance of 2,836.20 feet to a found ½ inch iron pin marking the Northeast corner of the Reed Food Technology, Inc. property as recorded in Deed Book 881, Pages 449-450 in the Office of the Chancery Clerk of Rankin County; thence

Northeasterly along the West right of way of Greenfield Road and the arc of a curve to the right for a distance of 225.79 feet, said curve having a radius of 5,766.90 feet, and a deflection angle of 2 degrees 14 minutes 36 seconds, (chord bearing and distance, North 35 degrees 18 minutes 33 seconds East, 225.79 feet to a set ½ inch iron pin marking the Point of Beginning of the herein described easement; thence

North 77 degrees 43 minutes 36 seconds West for a distance of 490.52 feet to a set ½ inch iron pin; thence

North 14 degrees 06 minutes 34 seconds East for a distance of 100.05 feet to a set ½ inch iron pin marking the South line of the Greenfield Development Company, Inc. and Patrick property as recorded in Deed Book 581, Pages 143-146 in the Office of the Chancery Clerk of Rankin County; thence

South 77 degrees 43 minutes 36 seconds East along said South line of the Greenfield Development Company, Inc. and Patrick property for a distance of 533.31 feet to a set ½ inch iron pin marking the intersection of said South line of the greenfield Development Company, Inc. and Patrick property with said West right of way of Greenfield Road; thence Southwesterly along said West right of way of Greenfield Road and the arc of a curve to the left for a distance of 110.08 feet, said curve having a radius of 5,766.90 feet, and a deflection angle of 1 degrees 05 minutes 37 seconds, (chord bearing and distance, South 36 degrees 58 minutes 40 seconds West, 110.07 feet) to the Point of Beginning; and

(9) One (1) 2013 Chevrolet Avalanche, VIN: 3GNMCGE02DG255896.

is property constituting, or derived from, proceeds that the defendant obtained, directly or indirectly, as a result of the offenses charged in the Indictment and/or was used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offenses charged in the Indictment and/or was involved in the offenses charged in the Indictment.

Such property is, therefore, subject to forfeiture pursuant to Title 18, United States Code,

Section 982(a)(1).

3. The defendant has been apprised that Rule 32.2 of the Federal Rules of Criminal Procedure, and Title 18, United States Code, Section 982 require the Court to order the forfeiture of the above described property at, and as a part of, the sentencing proceeding. The defendant does hereby waive such requirement and the requirement that the forfeiture be made a part of the sentence as ordered by the Court in the document entitled, "Judgment in a Criminal Case." The defendant and his attorney further agree that the Court should enter this order immediately, and agree that the forfeiture ordered hereunder will be a part of the sentence of the Court regardless whether ordered at that proceeding and/or whether attached as a part of the said Judgment in the Criminal Case.

IT IS, THEREFORE, ORDERED AND ADJUDGED AS FOLLOWS:

- a. That the defendant shall forfeit to the United States,
 - (1) **One Million Two Hundred Thousand Dollars in United States Currency (\$1,200,000.00);**
 - (2) **Real property more particularly described as:**

Unit number five hundred two (502), Sea Breeze Condominiums, a condominium according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the Second Judicial District of Harrison County, Mississippi, in Plat Book 23, at Page 17 thereof, together with an undivided interest in and to the common elements and appurtenances thereof, as set forth in the Declaration of Condominium, dated November 10, 2006, and filed of record as Instrument no. 2006-0005045-DJ2 thereof, in the office of the Chancery Clerk aforesaid;

However, the Defendant is authorized to sell such property and forfeit the full net amount received to the Government if the Government approves of such sale beforehand.

(3) Real property more particularly described as:

**Unit 601, Sea Breeze Condominiums, according to the official map or plat thereof in Plat Book 23 at Page 17 and according to the Declaration of Condominium recorded as Instrument Number 2006-5045DJ2, and bylaws recorded as Instrument Number 2010-2932DJ2 and all amendments thereto on file and of record in the office of the Chancery Clerk of the Second Judicial District of Harrison County, Mississippi. Together with an undivided interest in the common area and appurtenances as set forth in said declaration. Being the same property as described by deed recorded as Instrument No. 2006-5894DJ2.
Tax Parcel Number: 1210K-04-002.045;**

(4) Real property more particularly described as:

Unit Number Five Hundred Four (504), SEA BREEZE CONDOMINIUMS, a condominium according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the Second Judicial District of Harrison County, Mississippi, in Plat Book 23 at Page 17 thereof, together with an undivided interest in and to the common elements and appurtenances thereof, as set forth in the Declaration of Condominium and therefore subject to that certain Declaration of Condominium, dated November 10, 2006 and filed of record as Instrument No. 2006-5045-D-J2 thereof, in the office of the Chancery Clerk aforesaid.

AND ALSO: Cabana C-4, SEA BREEZE CONDOMINIUMS, a condominium according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the Second Judicial District of Harrison County, Mississippi, in Plat Book 23 at Page 17 thereof, together with an undivided interest in and to the common elements and appurtenances thereof, as set forth in the Declaration of Condominium and therefore subject to that certain Declaration of Condominium dated November 10, 2006 and filed of record as Instrument #2006-5045-D-J2 thereof, in the office of the Chancery Clerk aforesaid; which cabana may be separated from the Unit hereinabove, but which cannot be separated, sold, transferred or conveyed without ownership of a Sea Breeze Condominium Unit, all in accord with the covenants, restrictions, and conditions of the Declaration of Condominium;

- (5) **Real property located at 104 Office Park Drive more particularly described as:**

Tract I:

Commence at a point where the East line of Section 18, Township 5 North, Range 3 East, Rankin County, Mississippi intersects the South right-of-way line of U. S. Highway 80 and run thence North 89 degrees 57 minutes West along said right-of-way line for 1,822.3 feet to a point; run thence South 00 degrees 25 minutes East for 45.0 feet to a point; run thence South 89 degrees 57 minutes East for 100.0 feet to a point; run thence South 00 degrees 25 minutes East for 200.0 feet to the Point of Beginning of the land described herein; continue thence South 00 degrees 25 minutes East for 100.0 feet to an iron pin; run thence North 89 degrees 57 minutes West for 120.0 feet to an iron pin; run thence North 00 degrees 25 minutes West for 100.0 feet to an iron pin; run thence South 89 degrees 57 minutes East for 120.0 feet to an iron pin and the Point of Beginning. The above described lot lying and being situated in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, Township 5 North, Range 3 East, Rankin County, Mississippi, containing 0.275 acres, more or less.

AND ALSO:

Tract II:

Commence at a point where the East line of Section 18, Township 5 North, Range 3 East, Rankin County, Mississippi intersects the South right-of-way line of U. S. Highway 80 and run thence North 89 degrees 57 minutes West and along said right-of-way line for a distance of 1,822.3 feet to a point; run thence South 00 degrees 25 minutes East for a distance of 245.0 feet to a point; run thence North 89 degrees 57 minutes West for a distance of 20.0 feet to the Point of Beginning. Run thence South 00 degrees 25 minutes East for a distance of 100.0 feet to a point; run thence North 89 degrees 57 minutes West for a distance of 30.0 feet to a point; run thence North 00 degrees 25 minutes West for a distance of 100.0 feet to a point; run thence South 89 degrees 57 minutes East for a distance of 30.0 feet to the Point of Beginning. The above described property lying and being situated in the Northeast Quarter of the Northeast Quarter of Section 18, Township 5 North, Range 3 East, Rankin County, Mississippi, and containing 0.069 acres, more or less.

INDEXING INSTRUCTIONS:

TRACT 1: NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, Township 5 North, Range 3 East, Rankin County, Mississippi.

TRACT II: NE ¼ of the NE ¼ of Section 18, Township 5 North, Range 3 East, Rankin County, Mississippi.

- (6) Christian Drive and Highway 18, Brandon, Rankin County, Mississippi more particularly described as:**

A tract or parcel of land containing 4.15 acres, more or less, being situated in the Southeast ¼ of the Southwest ¼ of Section 18, T5N-R3E, City of Brandon, Rankin County, Mississippi; thence

Commencing at the Southeast corner of said Section 18; run thence

North for a distance of 755.55 feet; thence

West for a distance of 3662.98 feet to a found ½ inch iron pin marking the Southeast corner of Royal Development, LLC property as recorded in Deed Book 2004 Page 6820 in the office of the Chancery Clerk of Rankin County, Mississippi and said pin marking the point of beginning of the herein described property; thence

South 27 Degrees 07 Minutes 48 Seconds East for a distance of 637.63 feet to a point in the center of Terrapin Skin Creek; thence

South 64 Degrees 42 Minutes 44 Seconds West along the center of said Terrapin Skin Creek for a distance of 97.61 feet to a point; thence

South 70 Degrees 01 Minute 45 Seconds West along the center of said Terrapin Skin Creek for a distance of 106.11 feet to a point; thence

South 71 Degrees 02 Minutes 26 Seconds West along the center of said Terrapin Skin Creek for a distance of 93.65 feet to a point on the Easterly right-of-way of MS Highway No. 18; thence

North 27 Degrees 07 Minutes 48 Seconds West along the Easterly right-of-way of MS Highway No. 18 for a distance of 476.67 feet to a set ½ inch iron pin on the Southerly right-of-way of Christian Drive; thence

North 62 Degrees 52 Minutes 12 Seconds East along the Southerly right-of-way of Christian Drive for a distance of 60.0 feet to a set ½ inch iron pin; thence

North 27 Degrees 07 Minutes 48 Seconds West along the Easterly right-of-way of Christian Drive for a distance of 161.17 feet to a found ½

inch iron pin marking the Southwest corner of the aforementioned Royal Development, LLC property; thence

North 70 Degrees 06 Minutes 03 Seconds East along the Southerly line of the aforementioned Royal Development, LLC property for a distance of 237.36 feet to the point of beginning.

LESS AND EXCEPT:

A parcel of land being situated in the Southeast ¼ of Southwest ¼ of Section 18, Township 5 North, Range 3 East, City of Brandon, Rankin County, Mississippi, described as follows:

Commencing at the Southeast Corner of said Section 18; run thence North a distance of 755.55 feet; then West for a distance of 3,662.98 feet to a ½ inch iron pin marking the Southeast Corner of Royal Development, LLC property as recorded in Deed Book 2004 at Page 6820 in the Office of the Chancery Clerk of Rankin County, Mississippi; thence South 70 Degrees 06 Minutes 03 Seconds West a distance of 237.36 feet to a point on the eastern right-of-way line of Christian Drive; thence South 27 Degrees 07 Minutes 48 Seconds East along the East line of Christian Drive a distance of 161.17 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING, continue South 27 Degrees 07 Minutes 48 Seconds East for a distance of 113.84 feet; thence South 66 Degrees 37 Minutes 44 Seconds West a distance of 60 feet to the East right-of-way line of Mississippi Highway 18; thence North 27 Degrees 07 Minutes 48 Seconds West along the said East right-of-way line for a distance of 113.84 feet; thence North 66 Degrees 37 Minutes 44 Seconds East a distance of 60 feet, more or less, to the POINT OF BEGINNING, comprising 1.57 acres, more or less.

LESS AND EXCEPT:

A tract of parcel of land containing 1.45 acres, more or less, being situated in the SE ¼ of the SW ¼ of Section 18, T5N-R3E, City of Brandon, Rankin County, Mississippi.

Thence commencing at the SE Corner of said Section 18; run thence North for a distance of 755.55 feet; thence West for a distance of 3662.98 feet to a found ½ inch iron pin marking the SE Corner of Royal Development, LLC property as recorded in Deed Book 2004, Page 6820 in the office of the Chancery Clerk of Rankin County, Mississippi and said pin marking the

POINT OF BEGINNING of the herein described property; thence South 27 Degrees 07 Minutes 48 Seconds East for a distance of 260.59 feet to an iron pin; thence South 66 Degrees 37 Minutes 44 seconds West for a distance of 236.05 feet to an iron pin on the East right-of-way of Christian Drive (proposed Christian Drive extension); thence North 27 Degrees 07 Minutes 48 Seconds West along the Easterly right-of-way of Christian Drive for a distance of 275.00 feet to a found ½ inch iron pin marking the SW Corner of the aforementioned Royal Development, LLC property; thence North 70 Degrees 06 Minutes 03 Seconds East along the Southerly line of the aforementioned Royal Development, LLC property for a distance of 237.36 feet to the **POINT OF BEGINNING**.

- (7) A certain parcel of land being situated in the East ½ of Section 24, T5N-R2E, Rankin County, Mississippi, and being more particularly described as follows:

PARCEL 1:

Commence at an existing iron pin marking the Southwest corner of the East ½ of Section 24, T5N-R2E and run thence North 00 degrees 11 minutes 18 seconds West along the West line of the East ½ of said Section 24 for a distance of 3,306.99 feet to an existing iron pin marking the **POINT OF BEGINNING** of the parcel of land herein described from said **POINT OF BEGINNING**, run thence South 77 degrees 43 minutes 35 seconds East for a distance of 1,144.85 feet to a set iron pin on the West right-of-way line of Greenfield Road; said point being in the arc of a 0.9936 degree curve bearing to the right having a radius of 5,766.90 feet; run thence along said West right-of-way line of Greenfield Road and along the arc of said curve an arc length of 280.72 feet; said curve having a chord bearing of South 35 degrees 34 minutes 55 seconds West and a chord distance of 280.69 feet; leaving said West right-of-way line of Greenfield Road, run thence North 76 degrees 54 minutes 22 seconds West for a distance of 791.63 feet to an existing iron pin; run thence North 77 degrees 43 minutes 36 seconds West for a distance of 187.78 feet to an existing iron pin on the aforesaid West line of the East ½ of Section 24; run thence North 00 degrees 11 minutes 18 seconds West along said West line of the East ½ of Section 24 for a distance of 252.39 feet to the **POINT OF BEGINNING**, containing 6.134 acres, more or less.

PARCEL II:

Commencing at the Southwest corner of the East ½ of Section 24, Township 5 North, Range 2 East, Rankin County, Mississippi, go North 00° 11'18" West along the West line of said East ½ of Section 24 for a distance of 3,306.99 feet to the Point of Beginning;

From the Point of Beginning; thence go North 77 ° 43' 37" West for a distance of 152.350 feet to an iron pin; thence go South 2° 48' 25" East along a fence for a distance of 154.670 feet; thence go South 2° 59' 44" East along said fence for a distance of 100.660 feet; then go South 77° 43' 36" East for a distance of 140.070 feet to the West line of said East ½ of Section 24; thence go North 0° 11' 18" West along West line of said East ½ of Section 24 for a distance of 252.390 feet; to the Point of Beginning, containing 0.83 acres, more or less, and being situated in the West ½ of Section 24, Township 5 North, Range 2 East, Rankin County, Mississippi.

PARCEL III:

A certain parcel of land being situated in the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter of Section 24, Township 5 North, Range 2 East, Rankin County, Mississippi, and being more particularly described as follows: Commence at the Southwest corner of the East Half of said Section 24, Township 5 North, Range 2 East and run thence North 00 degrees 11 minutes 18 seconds West along the West line of said East Half of Section 24 for a distance of 3,306.99 feet to the POINT OF BEGINNING, run thence North 77 degrees 43 minutes 37 seconds West for a distance of 152.31 feet to a set iron pin on an existing fence line; run thence North 01 degrees 36 minutes 24 seconds West along said existing fence for a distance of 51.50 feet to an existing iron pin; run thence South 77 degrees 43 minutes 37 seconds East for a distance of 164.67 feet to a set iron pin; run thence South 77 degrees 43 minutes 36 seconds East for a distance of 1,167.18 feet to a set iron pin on the West right-of-way line of Greenfield Road (as now laid out and improved); said point further being on the arc of a 00/993529 degree curve bearing to the left having a central angle of 00 degrees 32 minutes 45 seconds and a radius of 5,766.89 feet; run thence along said West right-of-way line of Greenfield Road and along the arc of said curve an arc length of 54.95 feet; said curve having a chord bearing of South 36 degrees 46 minutes 19 seconds West and a chord distance of 54.95 feet; leaving said West right-of-way line of Greenfield Road and the arc of said curve, run thence North 77 degrees 43 minutes 36 seconds West for a distance of 1,144.40 feet to the POINT OF BEGINNING, containing 1.509 acres, more or less.

LESS AND EXCEPT:

A tract or parcel of land containing 6.34 acres, more or less, lying and being situated in the Southwest ¼ of the Northeast ¼ and the Southeast ¼ of the Northwest ¼ of Section 24, Township 5 North, Range 2 East, City of

Pearl, Rankin County, Mississippi and being more particularly described by metes and bounds as follows:

Commencing at a fence post marking the Southwest corner of the East ½ of said Section 24, run thence

East for a distance of 935.11 feet; thence

North for a distance of 2,836.20 feet to a found ½ inch iron pin marking the Northeast corner of the Reed Food Technology, Inc. property as recorded in Deed Book 881, Pages 449-450 in the Office of the Chancery Clerk of Rankin County; thence

North 76 degrees 54 minutes 22 seconds West along the North line of said Reed Food Technology, Inc. property and a fence, more or less, for a distance of 264.95 feet to a set ½ inch iron pin; thence

North 76 degrees 54 minutes 22 seconds West along said North line of the Reed Food Technology, Inc. property and a fence, more or less, for a distance of 143.73 feet to a set ½ inch iron pin marking the Point of Beginning of the herein described property; thence

North 76 degrees 54 minutes 22 seconds West along said North line of the Reed Food Technology, Inc. property and the North line of Greenfield Commercial Park Phase 2 as recorded in Plat Cabinet C, Slot 187 in the Office of the Chancery Clerk of Rankin County and a fence, more or less, for a distance of 382.95 feet to a set ½ inch iron pin; thence

North 77 degrees 43 minutes 36 seconds West along said North line of Greenfield Commercial Park Phase 2 and the North line of the United Association Mississippi Land Holding Company property as recorded in Deed Book 909, Pages 638-639 in the Office of the Chancery Clerk of Rankin County and a fence, more or less, for a distance of 327.85 feet to a set ½ inch iron pin marking the East line of Greenfield Development Company property as recorded in Deed Book 726, Pages 3-4 in the Office of the Chancery Clerk of Rankin County; thence

North 2 degrees 59 minutes 44 seconds West along the East line of said Greenfield Development Company property for a distance of 100.66 feet to a set ½ inch iron pin; thence

North 2 degrees 48 minutes 25 seconds West along said East line of the Greenfield Development Company property for a distance of 154.67 feet to a set ½ inch iron pin; thence

North 1 degrees 36 minutes 24 seconds West along said East line of the Greenfield Development Company property for a distance of 51.50 feet to a set ½ inch iron pin marking the South line of the Greenfield Development Company, Inc. and Patrick property as recorded in Deed Book 581, Pages 143-146 in the Office of the Chancery Clerk of Rankin County thence

South 77 degrees 43 minutes 37 seconds East along said South line of said Greenfield Development Company, Inc. and Patrick property for a distance of 164.67 feet to a set ½ inch iron pin; thence

South 77 degrees 43 minutes 36 seconds East along said South line of said Greenfield Development Company, Inc. and Patrick property for a distance of 1,168.19 feet to a set ½ inch iron pin marking the intersection of said South line of said Greenfield Development Company, Inc. and Patrick property with the West right of way of Greenfield Road; thence

Southwesterly along said West right of way of Greenfield Road and the arc of a curve to the left for a distance of 110.08 feet, said curve having a radius of 5,766.90 feet, and a deflection angle of 1 degrees 05 minutes 37 seconds, (chord bearing and distance, South 36 degrees 58 minutes 40 seconds West, 110.07 feet) to a set ½ inch iron pin; thence

North 77 degrees 43 minutes 36 seconds West for a distance of 490.52 feet to a set ½ inch iron pin; thence

South 14 degrees 06 minutes 34 seconds West for a distance of 202.04 feet to the Point of Beginning.

AND LESS AND EXCEPT:

A tract or parcel of land containing 1.44 acres, more or less, lying and being situated in the Southwest ¼ of the Northeast ¼ of Section 24, Township 5 North, Range 2 East, City of Pearl, Rankin County, Mississippi and being more particularly described by metes and bounds as follows:

Commencing at a fence post marking the Southwest corner of the East ½ of said Section 24; run thence

East for a distance of 935.11 feet; thence

North for a distance of 2,836.20 feet to a found ½ inch iron pin marking the Northeast corner of the Reed Food Technology, Inc. property as recorded in Deed Book 881, Pages 449-450 in the Office of the Chancery Clerk of Rankin County and the Point of Beginning of the herein described property; thence

North 76 degrees 54 minutes 22 seconds West along the North line of said Reed Food Technology, Inc. property and a fence, more or less, for a distance of 264.95 feet to a set ½ inch iron pin; thence

North 14 degrees 06 minutes 34 seconds East for a distance of 204.10 feet to a set ½ inch iron pin; thence

South 77 degrees 43 minutes 36 seconds East for a distance of 346.74 feet to a set ½ inch iron pin marking the West right of way of Greenfield Road; thence

Southwesterly along said West right of way of Greenfield Road and the arc of a curve to the left for a distance of 225.80 feet, said curve having a radius of 5,766.90 feet, and a deflection angle of 2 degrees 14 minutes 36 seconds, (chord bearing and distance, South 35 degrees 18 minutes 33 seconds West, 225.79 feet) to the Point of Beginning;

(8) 100' Non-Exclusive Ingress/Egress Easement

A tract or parcel of land containing 1.17 acres, more or less, lying and being situated in the Southwest ¼ of the Northeast ¼ of Section 24, Township 5 North, Range 2 East, City of Pearl, Rankin County, Mississippi and being more particularly described by metes and bounds as follows:

Commencing at a fence post marking the Southwest corner of the East ½ of said Section 24; run thence

East for a distance of 935.11 feet; thence

North for a distance of 2,836.20 feet to a found ½ inch iron pin marking the Northeast corner of the Reed Food Technology, Inc. property as recorded in Deed Book 881, Pages 449-450 in the Office of the Chancery Clerk of Rankin County; thence

Northeasterly along the West right of way of Greenfield Road and the arc of a curve to the right for a distance of 225.79 feet, said curve having a radius of 5,766.90 feet, and a deflection angle of 2 degrees 14 minutes 36 seconds, (chord bearing and distance, North 35 degrees 18 minutes 33 seconds East, 225.79 feet to a set ½ inch iron pin marking the Point of Beginning of the herein described easement; thence

North 77 degrees 43 minutes 36 seconds West for a distance of 490.52 feet to a set ½ inch iron pin; thence

North 14 degrees 06 minutes 34 seconds East for a distance of 100.05 feet to a set ½ inch iron pin marking the South line of the Greenfield Development Company, Inc. and Patrick property as recorded in Deed Book 581, Pages 143-146 in the Office of the Chancery Clerk of Rankin County; thence

South 77 degrees 43 minutes 36 seconds East along said South line of the Greenfield Development Company, Inc. and Patrick property for a distance of 533.31 feet to a set ½ inch iron pin marking the intersection of said South line of the greenfield Development Company, Inc. and Patrick property with said West right of way of Greenfield Road; thence

Southwesterly along said West right of way of Greenfield Road and the arc of a curve to the left for a distance of 110.08 feet, said curve having a radius of 5,766.90 feet, and a deflection angle of 1 degrees 05 minutes 37 seconds, (chord bearing and distance, South 36 degrees 58 minutes 40 seconds West, 110.07 feet) to the Point of Beginning; and

- (9) One (1) 2013 Chevrolet Avalanche, VIN: 3GNMCGE02DG255896.**
- b. The Court has determined, based on defendant's Plea Agreement and Plea Supplement, that the following property is subject to forfeiture pursuant to Title 18, United States Code, Section 982(a)(1), that the defendant had an interest in such property and that the government has established the requisite nexus between such property and such offense.
- c. The United States may conduct any discovery it considers necessary to identify,

locate, or dispose of the property subject to forfeiture or substitute assets for such property.

- d. The United States shall publish notice of the order and its intent to dispose of the property in such a manner as the United States Attorney General may direct. The United States may also, to the extent practicable, provide written notice to any person known to have an alleged interest in the Subject Property. Fed. R. Crim. P. 32.2(c)(1).
- e. Any person, other than the above named defendant, asserting a legal interest in the Subject Property may, within thirty days of the final publication of notice or receipt of notice, whichever is earlier, petition the court for a hearing without a jury to adjudicate the validity of his alleged interest in the Subject Property, and for an amendment of the order of forfeiture, pursuant to 21 U.S.C. § 853(n).
- f. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing [or before sentencing if the defendant consents] and shall be made part of the sentence and included in the judgment. If no third party files a timely claim, this Order shall become the Final Order of Forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2).
- g. Any petition filed by a third party asserting an interest in the Subject Property shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the Subject Property, the time and circumstances of the petitioner's acquisition of the right,

title or interest in the Subject Property, any additional facts supporting the petitioner's claim and the relief sought.

- h. After the disposition of any motion filed under Fed. R. Crim. P. 32.2(c)(1)(A) and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon a showing that such discovery is necessary or desirable to resolve factual issues.
- i. The United States shall have clear title to the Subject Property following the Court's disposition of all third-party interests, or, if none, following the expiration of the period provided in 21 U.S.C. § 853(n)(2), which is incorporated by 18 U.S.C. § 982(b), 31 U.S.C. § 5317(c) and 5332, and 28 U.S.C. § 2461(c) for the filing of third party petitions.

The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e)(2)(A).

SO ORDERED AND ADJUDGED this 19th day of March 2015.

Henry T. Wingate
UNITED STATES DISTRICT JUDGE

AGREED:

J. Scott Gilbert
J. SCOTT GILBERT
Assistant United States Attorney

Cecil McCrory
CECIL McCRORY
Defendant

Clarence M. Leland, Jr.
CLARENCE M. LELAND, JR.
Attorney for Defendant